

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ALAN HOLMES

Plaintiff(s),

v.

OXFORD CITY POLICE DEPT.
OXFORD CHIEF OF POLICE
OXFORD POLICE OFFICER

Defendant(s).

U.S. DISTRICT COURT, N.D. OF N.Y.
FILED
NOV 21 2023
AT _____ O'CLOCK
John M. Domurad, Clerk - Syracuse

COMPLAINT
(Pro Se Prisoner)

Case No. _____
(Assigned by Clerk's
Office upon filing)

Jury Demand

☐ Yes
☒ No

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore **not** contain: an individual's social security number, taxpayer identification number, or birth date; the name of a person known to be a minor; or a financial account number. A filing may include **only**: the last four digits of a social security number or taxpayer-identification number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Fed. R. Civ. P. 5.2.

I. LEGAL BASIS FOR COMPLAINT

This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution and laws of the United States. Indicate below the federal basis for your claims.

- ☒ 42 U.S.C. § 1983 (state, county, or municipal defendants)
☐ *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971)
(federal defendants)
☐ Other (please specify) _____

II. PLAINTIFF(S) INFORMATION

Name: ALAN HOLMES
 Prisoner ID #: 1004969
 Place of detention: TIOGA COUNTY JAIL
 Address: 103 CORPORATE DRIVE
OWEGO, New York 13827

Indicate your confinement status when the alleged wrongdoing occurred:

- ☒ Pretrial detainee
☐ Civilly committed detainee
☐ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☐ Immigration detainee

Provide any other names by which you are or have been known and any other identification numbers associated with prior periods of incarceration:

If there are additional plaintiffs, each person must provide all of the information requested in this section and must sign the complaint; additional sheets of paper may be used and attached to this complaint.

III. DEFENDANT(S) INFORMATION

Defendant No. 1: FRANCIS ADAM
 Name (Last, First)
OXFORD CHIEF OF POLICE
 Job Title

Work Address

OXFORD NEW YORK
 City State Zip Code

Defendant No. 2: SHERMAN JASON
 Name (Last, First)
OXFORD POLICE OFFICER
 Job Title

Work Address

OXFORD NEW YORK
City State Zip Code

Defendant No. 3:

ROBERTS ABIGAIL
Name (Last, First)

TROOPER
Job Title

44 PARK STREET
Work Address

PORT CRANE NEW YORK 13883
City State Zip Code

Defendant No. 4:

LEE JENNIFER
Name (Last, First)

TROOPER
Job Title

44 PARK STREET
Work Address

PORT CRANE NEW YORK 13883
City State Zip Code

If there are additional defendants, the information requested in this section must be provided for each person; additional sheets of paper may be used and attached to this complaint.

IV. STATEMENT OF FACTS

State briefly and concisely the facts supporting your claims. Describe the events in the order they happened. Your statement of facts should include the following:

- The date(s) on which the events occurred
- Where these events took place (identify the facility and, if relevant, the specific location in the facility)

- How each defendant was involved in the conduct you are complaining about

If you were physically injured by the alleged misconduct, describe the nature of your injuries and the medical evaluation and treatment you were provided. You need not cite to case law or statutes or provide legal argument in the Statement of Facts. Use additional sheets of paper if necessary.

I WAS RACIALLY PROFILED AND PULLED OVER IN THE VILLAGE OF OXFORD IN A JEEP BELONGING TO A MS. ASALEY TOWNSEND THE OWNER OF THE VEHICLE. ONCE I WAS SEQUESTERED IN PATROLMAN'S SHERMAN'S POLICE VEHICLE AFTER ON DASH CAM AND LIVE FACEBOOK MESSENGER VIDEO "ASKING THE PTL. SHERMAN WHY DID HE PULL ME OVER, HE STATED THAT I WAS NOTED AS A KNOWN "DRUG DEALER", BUT I HAD JUST COME FROM A FEMALE ASSOCIATES HOUSE AFTER HAVING SEXUAL RELATIONS. THE PTL. WITHOUT MY PERMISSION, OR WARRANT COMMENCE TO SEARCH THE VEHICLE AND DO AN INVENTORY OF ITEMS I HAD NO IDEA OF WHO, OR WHERE THEY CAME FROM, OR KNEW THAT THEY EVEN EXISTED.

V. STATEMENT OF CLAIM(S)

State briefly and concisely the constitutional and/or statutory basis for each claim you seek to assert and identify the defendant(s) against whom each claim is

asserted. Commonly asserted claims include: excessive force; failure to protect; deliberate indifference to medical needs; unconstitutional conditions of confinement; denial of due process in a disciplinary or other proceeding; denial of equal protection; retaliation for the exercise of a First Amendment right; and interference with free exercise of religion. Legal argument and case citations are not required. Use additional sheets of paper if necessary.

FIRST CLAIM

ILLEGAL SEARCH & SEIZURE BY THE
OXFORD POLICE DEPARTMENT WITH WARRANT
FROM VILLAGE JUSTICE

SECOND CLAIM

INVENTORY WITHOUT RECEIPT BY THE
OXFORD POLICE DEPARTMENT

THIRD CLAIM

NO CHAIN-OF-CUSTODY STRAIGHT TO THE
NEW YORK STATE POLICE FORENSIC DEPARTMENT
AS THE SOUTHERN TIER

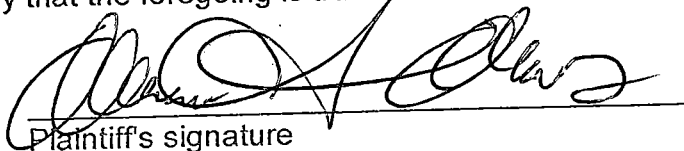
VI. RELIEF REQUESTED

State briefly what relief you are seeking in this case.

I AM SEEKING A REPLEVIN OF \$13,000,000.00 THIRTEEN
MILLION DOLLARS AND THAT ALL "CHAIN-OF-CUSTODY BE GIVEN
TO THE FEDERAL COURT.

I declare under penalty of perjury that the foregoing is true and correct.

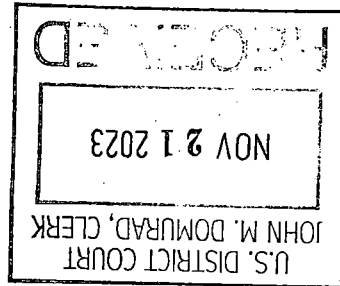
Dated: Nov. 15, 2023


Plaintiff's signature

(All plaintiffs must sign the complaint)

ALAN HOLMES

NAME: *Alan Holmes*
TIOGA COUNTY JAIL
103 CORPORATE DR.
OWEGO, NY 13827



"LEGAL MAIL"



John M. Domurad, Clerk
United State District Court
Federal building, P.O. Box 7367
100 S. Clinton Street
Syracuse, New York 13261-7367